

JC17 Rec'd PCT/PTO 25 MAR 2005

PTO-1390 (Rev.12-2004)

Approved for use through 3/31/2007.OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|  |  |
|--|--|
| TRANSMITTAL LETTER TO THE UNITED STATES<br>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br>CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 | ATTORNEY'S DOCKET NUMBER<br><b>49506.830001.US1 (0007)</b>       |
|  | U.S. APPLICATION NO. <b>10/529106</b> (if known, see 37 CFR 1.5) |

|   |   |   |
|---|---|---|
| INTERNATIONAL APPLICATION NO.<br><b>PCT/US2003/030386</b> | INTERNATIONAL FILING DATE<br><b>25 September 2003</b> | PRIORITY DATE CLAIMED<br><b>25 September 2002</b> |
|---|---|---|

TITLE OF INVENTION  
**METHOD FOR THE PREPARATION OF 2-HALO-2'-DEOXYADENOSINE COMPOUNDS FOR 2'-DEOXYGUANOSINE**

APPLICANT(S) FOR DO/EO/US:  
**Morris J. Robins, Zlatko Janeba, and Paula Francom**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
- ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
- ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☒ The US has been elected (Article 31).
- ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - ☐ is attached hereto (required only if not communicated by the International Bureau).
  - ☐ has been communicated by the International Bureau.
  - ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - ☐ is attached hereto
  - ☒ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)).
  - ☐ are attached hereto (required only if not communicated by the International Bureau).
  - ☐ have been communicated by the International Bureau.
  - ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - ☐ have not been made and will not be made.
- ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- ☒ An oath or declaration of the inventor (s) (35 U.S.C. 371 (c)(4)) **(previously submitted on January 9, 2004).**
- ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
- ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- ☒ A preliminary amendment.
- ☐ An Application Data Sheet under 37 CFR 1.76.
- ☐ A substitute specification.
- ☒ A power of attorney and/or change of address letter **(previously submitted September 25, 2003).**
- ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1825.
- ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
- ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- ☒ Other items or information: **Certificate of Mailing (EV 357959521 US)**

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313.140.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|  |              |  |            |   |                        |
|--|--------------|--|------------|---|------------------------|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5)<br><div style="font-size: 2em; font-weight: bold; margin-top: 10px;">10/529106</div>   |              | INTERNATIONAL APPLICATION NO.<br><div style="font-weight: bold; margin-top: 10px;">PCT/US2003/030386</div> |            | ATTORNEY'S DOCKET NUMBER<br><div style="font-weight: bold; margin-top: 10px;">49506.830001.US1 (0007)</div> |                        |
| The following fees have been submitted   |              |  |            | <b>Calculations</b>   | <b>Office use only</b> |
| 21. <input checked="" type="checkbox"/> Basic national fee.....\$300   |              |  |            | \$ 300.00   |                        |
| 22. <input checked="" type="checkbox"/> Examination fee<br>If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).....\$100<br>All other situations.....\$200  |              |  |            | \$ 200.00   |                        |
| 23. <input checked="" type="checkbox"/> Search fee<br>Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Search Authority.....\$100<br>International Search Report prepared and provided to the Office.....\$400<br>All other situations.....\$500  |              |  |            | \$ 100.00   |                        |
| <b>TOTAL OF 21, 22 and 23 =</b>  |              |  |            | <b>\$ 600.00</b>  |                        |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof   |              |  |            |   |                        |
| Total Sheets   | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number)                              | Rate       |   |                        |
| -100 =   | /50 =        |  | x \$250.00 | \$  |                        |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).   |              |  |            | \$  |                        |
| CLAIMS   | NUMBER FILED | NUMBER EXTRA   | RATE       | \$  |                        |
| Total Claims   | 6 - 20 =     | 0  | x \$50.00  | \$  |                        |
| Independent Claims   | 6 - 3 =      | 3  | x \$200.00 | \$  | 600.00                 |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)  |              |  | + \$360.00 | \$  |                        |
| <b>TOTAL OF ABOVE CALCULATION =</b>  |              |  |            | <b>\$1,200.00</b>   |                        |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.   |              |  |            | \$  |                        |
| <b>SUBTOTAL =</b>  |              |  |            | <b>\$</b>   |                        |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest priority date (37 CFR 1.492(f)).  |              |  |            | \$  |                        |
| <b>TOTAL NATIONAL FEE =</b>  |              |  |            | <b>\$</b>   |                        |
| Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property  |              |  |            | \$  |                        |
| <b>TOTAL FEES ENCLOSED</b>   |              |  |            | <b>\$1,200.00</b>   |                        |
|  |              |  |            | <b>Amount to be refunded</b>  | <b>\$</b>              |
|  |              |  |            | <b>Amount to be charged</b>   | <b>\$</b>              |
| a. <input checked="" type="checkbox"/> A check in the amount of \$1,200.00 to cover the above fees is enclosed.<br>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>08-2623</u> in the amount of \$_____ to cover the above fees.<br>A duplicate copy of this sheet is enclosed.<br>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>08-2623</u> . A duplicate copy of this sheet is enclosed.<br>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. |              |  |            |   |                        |
| <b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.  |              |  |            |   |                        |
| SEND ALL CORRESPONDENCE TO:  |              |  |            |   |                        |
| SIGNATURE  |              |  |            |   |                        |
| <u>Christopher L. Wight</u><br>NAME  |              |  |            |   |                        |
| <u>31,680</u><br>REGISTRATION NUMBER   |              |  |            |   |                        |

10/529106

Attorney Docket No. 49506.830001.US1 (0007)

Express Mail Label No. express mail label

JC17 Rec'd PCT/PTO 25 MAR 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Robbins et al.

Serial No.: Not yet assigned

Examiner: Not yet assigned

Filed: March 25, 2005

Art Unit: Not yet assigned

For: METHOD FOR THE PREPARATION OF  
2-HALO-2'-DEOXYADENOSINE  
COMPOUNDS FOR 2'-DEOXYGUANOSINE

CERTIFICATE OF MAILING BY EXPRESS MAIL

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

Sir:

The undersigned hereby certifies that the enclosed

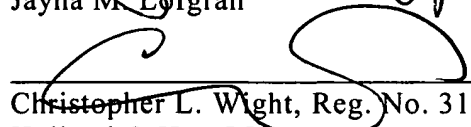
1. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371)
2. Preliminary Amendment;
3. Check in the amount of \$1,200.00; and
4. Return Card;

and this Certificate of Mailing by Express Mail relating to the above application, were deposited as "Express Mail," Mailing Label No. EV 357959521 US with the United States Postal Service, addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 25, 2005.

March 25, 2005

  
Jayna M. Lofgran

March 25, 2005

  
Christopher L. Wight, Reg. No. 31,680  
Holland & Hart LLP  
555 17th Street, Suite 3200  
Denver, Colorado 80201-8749  
Telephone: (801) 595-7823  
Fax: (801) 364-9124